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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/527,694	11/01/2005	Tetsushi Taguchi	052203	7280
38834	7590	10/30/2008	EXAMINER	
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP			GOON, SCARLETT Y	
1250 CONNECTICUT AVENUE, NW			ART UNIT	PAPER NUMBER
SUITE 700			1623	
WASHINGTON, DC 20036				
MAIL DATE		DELIVERY MODE		
10/30/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**ADVISORY ACTION**

This Office Action is in response to Applicant's proposed amendment and response after FINAL filed on 14 October 2008.

Applicant's proposed amendment adding new limitations in the proposed amended claims 4 and 11, the independent claims, presents a new issue for search and consideration by the Examiner since the limitation of the claims and scope of claims have been changed and would thus require a new search and new rejections.

Therefore, the proposed amendment After Final will not be entered.

Applicant's arguments, submitted 14 October 2008, with respect to the rejection of instant claims 4, 6, 7 and 11, under 35 USC § 103(a) for being obvious over JP 2000-212286 by Nagura *et al.* in view of Hermanson, have been considered but is not found to be persuasive to remove this rejection. Specifically, Applicant argues that Hermanson teaches adding sulfo-NHS to the protein, as in Protocol 4 on p. 175, and therefore does not meet the limitations of "biological low-molecular-weight compound" as recited in the claims. However, this argument is not persuasive because the prior art reference must be considered as a whole. Protocol 4 is a mere example of how the reaction can be setup. As indicated in the rejection of the Office Action dated 24 July 2008, Hermanson teaches the conjugation between two molecules, which can be two protein molecules, a peptide and a protein, an oligonucleotide and a protein, or any combination of small molecules.

All rejections of record in the Final Office Action dated 24 July 2008 are maintained in view of the proposed amendment After Final not entered.

Applicant's remarks/arguments filed 14 October 2008 after FINAL with respect to all rejections made under 35 U.S.C. § 112, second paragraph; and under 35 U.S.C. § 103(a) have been fully considered but are unpersuasive in view of not entered proposed amendment, as discussed in the Final Rejection.

The rejections of record are adhered to.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SCARLETT GOON whose telephone number is 571-270-5241. The examiner can normally be reached on Mon - Thu 7:00 am - 4 pm and every other Fri 7:00 am - 12 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shaojia Jiang can be reached on 571-272-0627. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Shaojia Anna Jiang/  
Supervisory Patent Examiner, Art Unit 1623

/SCARLETT GOON/  
Examiner  
Art Unit 1623